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OFFICE OF  
SOLID WASTE AND EMERGENCY RESPONSEMEMORANDUM

**SUBJECT:** Notes of Congressman Owens/Richard Guimond Meeting,  
Richardson Flat Tailings Site, September 15, 1992

**FROM:** Barbara O. Bach, Environmental Scientist *Bo Bach*  
Office of Emergency and Remedial Response, Hazardous  
Site Evaluation Division

**TO:** Record

Representatives of United Park City Mines Company wished to meet with EPA to reiterate their written comments submitted during the public comment period on the proposal to include Richardson Flat Tailings on the National Priorities List (NPL) and to explain their conclusions about the site. Josh Sheinkman, Legislative Assistant to Representative Owens, was present instead of Congressman Owens, because the Congressman was called back to Salt Lake City on short notice.

**Meeting Location,** Congressman Wayne Owens Office  
**Time/Date:** Room 1728 Longworth House Office Building  
New Jersey and Independence Avenues, SE  
2:45 PM, September 15, 1992

**Attendees:** Josh Sheinkman, Legislative Assistant to Rep. Owens (for Congressman Owens)  
Mr. Hank Rothwell, President, United Park City Mines Co., Salt Lake City, Utah  
Mr. Edwin L. Osika, Jr., Executive Vice President, United Park City Mines Co.  
Ms. Rosemary J. Beless, Attorney at Law, Law Offices of Fabian and Clendenin  
Richard Guimond, EPA, Deputy Assistant Administrator for Solid Waste and Emergency Response  
Janet Weiner, EPA, Special Assistant to R. Guimond  
Lisa Lubick, EPA, Congressional and Legislative Affairs, Congressional Liaison Division  
Barbara Bach, EPA, Office of Emergency and Remedial Response, Hazardous Site Evaluation Division



Ms. Beless: stated that EPA proposed Richardson Flat Tailings in 1989 NPL under the original Hazard Ranking System (HRS) but did not finalize it on the NPL. She also commented that EPA has now proposed listing the site on the NPL under the revised HRS, using the same data. She is "concerned that EPA is determined to list Richardson Flat Tailings on the NPL even though hard data do not support the proposal." She continued to state that "the 1988 Supplemental SI report says there is no release to surface water." She commented that Prospector Square (1.5 miles from Richardson Flat Tailings site) air sampling concludes no air release from Richardson Flat Tailings.

Mr. Osika: stated that when United Park City Mines contended there was no release to surface water, EPA agreed in 1989.

Ms. Beless: contended that suppositions are not supported by hard data and that EPA incorrectly interpreted aerial and onsite photos to show releases.

Mr. Osika: showed Rich Guimond new photographs, attempting to show distinction between tailings and alluvium of volcanic rocks.

Barbara Bach: asked if they would leave the photographs for the record; Mr. Osika said he could not leave these photographs but would send copies.

Ms. Beless: "EPA has relied on a contractor's memory that to the best of his memory he saw a release of tailings slumping into surface water. EPA also relies on a State employee who revised his memo of a visual account of tailings in surface water. EPA's contractor does not understand the revised HRS. EPA's contractor misinterprets wetlands in the revised HRS by counting the entire length of wetlands twice."

Ms. Beless: regarding the air release issue, EPA is using one old sample that is not above standards.

Rich Guimond: "What's your case?"

Mr. Osika: "Problems in the past are being fixed by reseeding and revegetation, from 1983 to now. United Park City Mines' planned remediation is 75 to 80 percent complete. Some problems that EPA alleges do not exist. Vegetation is holding well, and the area is not stressed. Native material and topsoil have been applied to stabilize tailings."

Ms. Beless: Lead ambient air standard not exceeded in air. There are mountains between Richardson Flat Tailings and Park City. Blood levels in Prospector Square tested lower than other areas.

Mr. Osika: maintained there is no air release. United Park City Mines analyzed duplicate samples they received from EPA.

Ms. Beless: raised issue that she believes EPA may be aggregating mining materials from other sources into the evaluation of the subject site -- some of Prospector Square (including Silver Maple Claims) tailings are the source, not Richardson Flat Tailings.

Mr. Osika: showed R. Guimond map 2 of comments package, Exhibit E

Mr. Osika: stated he is concerned that EPA's analysis assumes all hazardous substances are in elemental form, but they are in sulfide compounds which are much less toxic. Aerial photography reflects 6,000,000 square feet of pure elemental form, but much is limestone in area.

Mr. Osika: expressed concern that the extensive sample plan EPA presented for United Park City Mines approval was to get data to make the listing secure, but EPA said additional sampling was necessary to ensure public health safety. United Park City Mines denied approving the sample plan because he believed EPA wanted to collect samples to address comments against listing. Mr. Osika wants EPA to be forthright and wants the chance to comment on the sample plan.

Rich Guimond: asked about United Park City Mines' cleanup plans and schedule?

Mr. Osika: replied the property will be clean by summer 1993 when they will finish their plan to stabilize tailings.

Mr. Osika: expressed concern that EPA has tried to expand the site by including the Park City Municipal landfill in the site definition. He said that EPA personnel came in and drilled monitoring wells (3 wells into the landfill, which he noted is against EPA guidance) and put a road through the landfill. The wells were drilled through the liner and clay layer and spread ground water contamination. Mr. Osika stated he has brought the problem to EPA's attention.

Rich Guimond: said Region 8 is looking at that issue carefully.

Ms. Beless: expressed concern that no one will look at their comments, "because the project manager in Region 8 hasn't responded to their comments." Ms. Beless accused Rich Guimond's staff of personally benefitting by the number of sites they list or clean up, "you know, bonus awards!"

Rich Guimond: stated "EPA staff do their jobs and do not try to meet quotas or whatever" and explained the process,

including the rulemaking and comment process.

Ms. Beless: asked whether EPA will guarantee they will not start the RI/FS before dealing with all United Park City Mines' comments?

Mr. Osika: "United Park City Mines have met with Senator Hatch and the governor of Utah. It is not United Park City Mines' objective to influence the political outcome of Prospector Square."

The meeting ended at 3:40 PM.